

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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TOWN OF FRAMINGHAM REQUEST FOR)	
DETERMINATION OF RATES APPLICABLE TO)	D.T.E. 02-46
TRANSPORTATION AND TREATMENT OF SEWAGE)	
PURSUANT TO INTERMUNICIPAL AGREEMENT)	
_____)	

REBUTTAL TESTIMONY OF STEPHEN H. GERIBO, P.E.
ON BEHALF OF THE TOWN OF FRAMINGHAM

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1 Q: Please state your name for the record.

2 A: Stephen H. Geribo.

3 Q: On whose behalf are you offering rebuttal testimony?

4 A: On behalf of the Town of Framingham.

5 Q: Are you being paid for offering rebuttal testimony on
6 behalf of Framingham?

7 A: Yes, my company is being paid for the work it is doing on
8 behalf of Framingham in this and other matters.

9 Q: Have you reviewed the direct testimony of John T. Hannigan
10 and Steve Sylven, submitted on behalf of the Town of Ashland?

11 A: Yes.

12 Q: With respect to Mr. Sylven's testimony at pp. 21-22, and
13 Mr. Hannigan's testimony at pp. 6-7, do you agree with the
14 testimony of these gentlemen pertaining to the maximum rates of
15 discharge permitted under the IMA between Framingham and
16 Ashland?

17 A: Yes. I note, however, that flow records recently produced
18 by Ashland to Framingham demonstrate that Ashland's discharges
19 to Framingham's sewer system, on occasion, exceeded the
20 permitted discharge rates. We are now conducting a analysis of
21 this flow data to determine the frequency with which Ashland
22 exceeded the maximum rates of discharge.

1 **Q: Can you describe one example of an occasion on which**
2 **Ashland's flow indicates that it exceeded the maximum rates of**
3 **discharge?**

4 A: Yes. Attached as proposed Exhibit FR-19 is a copy of a
5 document recently produced by Ashland, which reflects flow
6 through the Chestnut Street pumping station during the week of
7 December 16, 1996. Per the IMA, Ashland "shall be limited and
8 restricted to a maximum rate of discharge of 2.0 million gallons
9 per day (or 1400 gallons per minute) of Ashland sewerage with
10 the exception that momentary discharge rates not exceeding 2.5
11 million gallons per day (or 1750 gallons per minute) for periods
12 not in excess of five minutes are permissible". As reflected on
13 the attached chart, Ashland's flow during the week of December
14 16, 1996 routinely exceeded the 2.0 MGD limit, and even exceeded
15 the maximum permissible discharge rate of 2.5 MGD on several
16 occasions.

17 **Q: Did Ashland provide Framingham with a complete set of pump**
18 **station flow records for both the Chestnut Street and Brackett**
19 **Street pumping stations?**

20 A: No. Ashland produced circular strip charts, similar to
21 proposed Exhibit FR-19, for the Chestnut Street pumping station
22 for scattered dates in 1994, 1995, 1996, 1997, 2001, 2002 and
23 2003. Ashland produced pump run meter data for both pumping
24 stations for each year in the 1997-2002 time frame, but some of

1 the months have incomplete data. We are in the process of
2 obtaining detailed flow data from the MWRA in order to ascertain
3 the frequency and extent of Ashland's violations of the maximum
4 discharge rates for each day during the relevant time period.

5 If Ashland had installed functioning Parshall Flume devices at
6 the two connection points, as they were required to do under the
7 IMA, we already would have this data.

8 **Q: Does the fact that Ashland violated the discharge rates**
9 **permitted under the IMA impact in any way your opinion as to the**
10 **appropriate formula for calculating Ashland's proper share of**
11 **Framingham's O&M expenses?**

12 A: This information provides further support for my opinion
13 that Ashland's payments for use of Framingham's system should be
14 based on the actual Ashland flows into the system, because
15 Framingham's costs are directly related to the actual (rather
16 than the projected or permissible) amount of these flows. Under
17 Ashland's proposed formula, Ashland would not have to pay
18 increased amounts to Framingham for O&M even if its actual flows
19 increased beyond current levels.

20 **Q: Directing your attention to Mr. Sylven's testimony at p. 27**
21 **and Mr. Hannigan's testimony at pp. 11-12, do you agree with**
22 **these gentlemen's statements as to the appropriateness of the**
23 **formula proposed by Ashland?**

1 A: No. Mr. Sylven and Mr. Hannigan state that Framingham and
2 Ashland agreed to Ashland's usage of Framingham's sewer system
3 "on a blanket basis." I do not agree with this characterization
4 of the IMA, which provides that Ashland should pay Framingham a
5 "proportionate share of the cost of maintaining said system." I
6 also do not agree that the formula described in my direct
7 testimony would result in Ashland being charged like any other
8 Framingham customer. It is my opinion that Ashland, like any
9 other user of the system, should pay a proportionate share of
10 the cost of operating the entire system, not just that portion
11 of the system Ashland utilizes. It also is my opinion, however,
12 that Framingham should assess Ashland on a percentage flow
13 basis, i.e., a determination of what percentage of Framingham's
14 total flow represents flows received from Ashland, rather than
15 on a "per-gallon" flow basis. If Framingham were to apply the
16 same tiered per-gallon rate structure to Ashland that it applies
17 to those users who reside in Framingham (i.e. treat Ashland like
18 all other Framingham sewer customers), Ashland's bill would be
19 far in excess of the amounts Framingham is now proposing that
20 Ashland should pay.

21 **Q: Do you agree with Mr. Sylven's testimony at p. 29, and Mr.**
22 **Hannigan's testimony at p. 13, regarding the full flow capacity**
23 **of the Farm Pond Interceptor and the Beaver Dam Interceptor?**

1 A: I have not calculated the full flow capacity of either
2 pipe, and the numbers provided by Mr. Sylven and Mr. Hannigan of
3 15.0 MGD and 2.0 MGD do not appear in SEA's Report. I have
4 estimated the full flow capacities of these pipes as 10.0 MGD
5 and 2.0 MGD.

6 **Q: Does this conclude your rebuttal testimony?**

7 A: Yes.

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